

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

RECEIVED

JUL 16 2021

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

De'Montay LARELL Ward

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

21 cv 50287

Judge Iain D. Johnston

(Magistrate Judge Lisa A. Jensen

DR. K. DR. MCCREA, DR. LEVY,

LT. IMAN, LT. DIK, CAPTAIN HESS,

DR. BRITTON, DR. STRETT,

DR. STOKES, C.O. MILLER

C.O. HALBERT

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

☐ COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

☒ COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

☐ OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

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I. Plaintiff(s):

- A. Name: DeMontay Ward
- B. List all aliases: NONE
- C. Prisoner identification number: 45499-379
- D. Place of present confinement: AUSP Thomson
- E. Address: P.O. Box 1002 Thomson, IL 61285

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: Britton
Title: Psychologist
Place of Employment: Thomson AUSP
- B. Defendant: IMAN
Title: Lieutenant
Place of Employment: Thomson AUSP
- C. Defendant: Strett
Title: MD
Place of Employment: Thomson AUSP

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

MS-K

Defendant: [REDACTED]

Title: HEAD psychologist

Place of EMPLOYMENT: Thomson AUSA

Defendant: MS. MCCREA

Title: Psychologist

Place of EMPLOYMENT: Thomson AUSA

Defendant: MR. DIX

Title: Lieutenant

Place of EMPLOYMENT: Thomson AUSA

Defendant: MR. LEONOWICZ

Title: Captain

Place of EMPLOYMENT: Thomson AUSA

Defendant: MS. LEVY

Title: Psychologist

Place of EMPLOYMENT: Thomson AUSA

Defendant: MR. STOKS

Title: Psychologist

Place of EMPLOYMENT: Thomson AUSA

Defendant Miller

Title: OFFICER

Place of Employment: Thomson Ausp

Defendant Halbert

Title: OFFICER

Place of Employment: Thomson Ausp

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III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: 03:20-CV-50165 (2) 21-CV-50267 (3)
21-CV-50284 (4) 21-CV-50253 ← ALL IN ILLINOIS. THE LAST ONE IS 1:20-CV-0615
IN (PA)
- B. Approximate date of filing lawsuit: I CANT RECALL.
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: DE MONTAIGNE
- D. List all defendants: I CANT RECALL EVERY defendant.
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): ON IN THE middle DISTRICT OF PENNSYLVANIA and the
OTHER 4 ARE IN THE NORTHERN DISTRICT OF ILLINOIS
- F. Name of judge to whom case was assigned: THE ONES IN ILLINOIS ARE ASSIGNED
TO HONORABLE Jaim D. JOHNSTON, the one IN (PA) IS ASSIGNED TO
THE HONORABLE JONES.
- G. Basic claim made: 8th Amendment.
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): ALL ARE PENDING.
- I. Approximate date of disposition: NONE AS OF YET.

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

ON JUNE 15, 2020 I had A talk With Mental Health Provider McCrea about My MENTAL State and my CURRENT Disorder diagnosis which WERE NOT CORRECT, SHE told me that she would change My Diagnosis to the CORRECT Diagnosis which IS "BIPOLAR SCHIZOPHRENIA" BUT she NEVER Did and 8 months later I had A MENTAL BREAK down because my mental Health Disorders Has been going untreated and my ISSUES ARE getting WORSE by the Day. ON SEPT 3, 2020 I had A MENTAL BREAK down and I tried to kill MYSELF by SELF-Mutilation with A Metal object. I tried killing myself by cutting My LEFT FOREARM OPEN with A Metal object. AFTER I cut My LEFT FOREARM OPEN Lieutenant Iman pulled me out of My cell and placed me in Hard Restraints without letting ME BE SEEN by anyone From the Mental Health Department to check my mental state. AFTER I WAS PLACED in Hard Restraints I WAS treated Hours later FOR My SELF Mutilation Incident by

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"BN" DEERICK GOOCH. This was my 3rd time trying to kill myself or harming myself at AUSP Thomson. But I have a long history of having thoughts of suicide and being "Bipolar Schizophrenia" which I have informed the mental health staff here at AUSP Thomson of on countless occasions but they are refusing to perform their duties as mental health officials concerning my mental health disorders. Also while I was in hard restraints 68 hours for trying to kill myself the chief psychologist named Ms. K of the mental health department came to see me everyday to talk with me and I told her I wanted to kill myself everyday she talk to me and she never told none of the LTs to let me out of hard restraints or place me in suicide watch. Even after I informed her the restraints was hurting me her response to me was how can I work on changing my situation, after she stated this I didn't say anything, I cried there in restraints in pain. I stayed in hard restraints 68 hours for trying to kill myself which is a violation of my 8th Amendment right, because I was subjected to

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V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I would like to sue each defendant in their individual capacity in the amount of \$1,000,000⁰⁰ each and nominal damages \$1, compensatory damages in the amount \$1,000,000⁰⁰, punitive damages \$250,000⁰⁰. Also I want to sue each defendant in their official capacities as well in the amount of \$1,000,000⁰⁰. Also I would like to be appointed a lawyer concerning this claim. Also I would like the opportunity to prove my case at trial if need be. Also I would like all these defendants fired and prosecuted for the acts they committed against me. I would like to be transferred to a prison where I can get treatment for my mental health needs.

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 10 day of July, 2021

De'Montray Ward
(Signature of plaintiff or plaintiffs)

De'Montray Ward
(Print name)

45499-379

(I.D. Number)

UNITED STATES PENITENTIARY THOMSON

P.O. Box 1002

THOMSON, IL 61285

(Address)

cruel and unusual punishment because ^{OF MY} ~~OF MY~~ Mental Disorders I have been struggling with my whole life. Also I have tried to Exhaust EVERY INTERNAL REMEDIES but I am being black, but you can see that I have took EVERY STEP THERE IS TO get help FOR MY Mental Health Disorders, but still I am being Refused treatment FOR MY Mental Health Disorders. While I was IN Hard RESTRAINTS FOR those 68 Hours I sustained injuries to my wrists and ankles due to the Hard RESTRAINTS cutting OFF into my skin. Also All Defendants stated in this complaint acted in a negligence State. I would like to provide the ground work FOR A NEGLIGENCE claim. (1) DUTY (2) BREACH, (3) CAUSATION, (4) DAMAGES. (1) DUTY: The CORRECTIONAL OFFICERS / MENTAL HEALTH OFFICERS OR STAFF do NOT HAVE A duty to provide A (RISK-FREE) ENVIRONMENT. They do, HOWEVER, HAVE A duty to KEEP PRISONERS SAFE and PROTECTED from UNREASONABLE RISK, which The AUSP Thomson Staff Didn't do on 06-03-2020 concerning my mental Break down. They placed me IN HARM'S way by placing me in Hard RESTRAINTS FOR 68 Hours because I tried to kill myself. I sustained SERIOUS injuries from metal Hand cuffs cutting INTO my wrists and ankles. (2) TO PROVE NEGLIGENCE

the Employees must Have breached (Failed in) their Duty to keep me safe, which the Employees Here at ausp did not do is keep me safe from Harm because on 09-03-2020 they falsely placed me in Restraints for SELF-mutilation instead of calling someone from the mental Health Department to check out my mental state and place me in Suicide Watch for SELF-mutilation which is policy. Lastly, The Harm that I suffered was caused by the Actions of the Federal Employees Here at ausp Thomson which is the main form of any Negligence claim. Also qualified Immunity should be placed to the side for all Defendants in this Complaint given that none of the Defendants followed procedure in their Dealings with me on 09-03-2020. Also I would like to state that on all of my medical Records since I been in the F.B.O.P concerning my mental Health Disorders are not accurate and I would like to obtain a Lawyer from the court so I can prove what I'm saying is true. Also I have some of my mental Health Documents from outside provider I have given to a few of the mental Health officials Here at ausp Thomson ~~on~~ they have agreed with my mental Health Disorders but

Still I have not Received any Real treatment PERTAINING to my mental DISORDERS. So I would like to obtain help from the Court by getting appointed A Lawyer CONCERNING this matter. Also like I Stated IN the 5th PARAGRAPH OF this Complaint I have tried to EXHAUST all INTERNAL Remedies CONCERNING this matter. So I would like to State Some CASE law PERTAINING to (EXHAUSTION) PROCESS so all Rules can be Followed. JONES V. Bock 549 U.S. 199 (2007) and ROSS V. BLAKE 136 S. CT. 1850 (2016) Established that inmates ARE ONLY REQUIRED to EXHAUST AVAILABLE Remedies IN which I did, so I hope that the COURT can see that I'm doing EVERYTHING IN my power to Follow the Rules, but when you HAVE individuals that try their Hardest to STOP your FORWARD PROGRESS What am I suppose to do when that happens?, What I'm doing Right now Right. Also AFTER I came out of Restraints on 09-06-2020 I had ANOTHER mental break down 2 Days later ON 09-08-2020 an DR. Stals came down to talk with me which went NO-WHERE HE Refused to place me on suicide Watch an I Was Placed back in my Cell and I started SELF mutilating AGAIN this time my cell Had to stop me an talk with me HE also let the DR. K know when

She Walked Around on 09-09-2020 that I had been cutting myself again and Dr. K walked off without getting me pulled out and getting me placed on suicide watch for self-mutilation. ON July 2, 2021 I submitted a cap-cut to Dr. Levy concerning my mental state and she never addressed my cap-cut which shows negligence on her behalf. ON July 8, 2021 I was seen by the Tele-Psychiatry for the first time since I been at AUSP Thomson and I informed him that my current mental disorders is wrong and I am not being treated for my real disorders which is "BIPOLAR schizophrenia". He told me he would look into the situation and on July 9, 2021 I was seen by Ms. Williams from the mental department to address my mental health concerns and I told her I am (Bipolar schizophrenia) and I don't have a "Antisocial Personality Disorder" she told me she would look into the situation as well. The officials here at AUSP Thomson are criminals and they work together to cover up the evil stuff they do to the inmates here. Look I understand what's going on here and they know I understand this is why they target me all the time.

Also C.O. Miller was the officer that walked up and seen me cutting myself an HE didnt call anyone for help. HE was also the same officer that pulled me out of my cell and placed me in Restraints on 09-03-2020. Also on 09-03-2020 I informed C/O Halbert that I was having thoughts of killing myself and I showed him my arm an HE told me to cut my throat if I was serious and HE walked off. OFFICER Halbert statement was a open DISREGARD for my life. After this I hit the EMERGENCY button because I was bleeding bad and C/O Halbert back to my door an said the same thing an walked of again. Also I would like NURSE DERRICK Gooch and NURSE Michael Bonislowski placed on file as my witnesses